In conclusion, he said that he understood that a special officer was to be appointed to look after the welfare of the depressed classes. He suggested that the present Land Revenue Commissioner be appointed as such officer without prejudice to his other duties.

13. Difficulties experienced by Pulayas and other depressed classes after the concessional registry of puduval lands in their names.

Mr. Aiyan Kali (Member, Nominated), in thanking the Government for the concessions granted to the members of the depressed classes in the matter of registry of *puduval* lands, referred to some of the difficulties the people were encountering in securing lands on concessional terms. It was at the sacrifice of revenue that Government had ordered the registry of lands to the depressed classes; but the poor assignees of those lands were put to the necessity of going to Revenue Officers and Civil Courts to get possession of the lands registered. The Member quoted an instance where three Pulayas in whose names an extent of 2½ acres of land in the Vilappil *pakuthi*, Neyyattinkara taluk, was registered on concessional terms in the year 1094 were fighting in the Division Cutcherry, Trivandrum, the Land Revenue Commissioner's Office and the Munsiff's Court in order to get possession of those lands. But, although the case was pending in the last mentioned court, the registry-holders were paying tax for the past several years, while the occupants continued to be in possession. There were very many instances of the kind in the same *pakuthi*. This, the Member said, was very hard and his people were incurring loss on that account. To alleviate this distress, he prayed for the following relief measures:—

(1) In cases where the concessional registry-holders had to sue in Civil Courts to get possession of the lands assigned to them, the court fees in respect of such suits should be remitted.

(2) If the above prayer could not be granted, their suits should be entertained free of court fees and the necessary amount of fees should be recovered from the opposite party.

(3) The members of his community should be exempted from affixing court fee stamps to their land applications.

He also brought to the notice of Government that the places ear-marked for assignment to the depressed classes had absolutely no water convenience. He therefore prayed that good and cultivable lands might be assigned to them.

President's reply.—Mr. Aiyan Kali has referred to the difficulty experienced by his community in getting lands registered and in securing possession of them after the orders of registry have been passed. As regards the assignment of *puduvals* to members of the depressed classes, Government will view the question sympathetically, and wherever such members have settled down on unobjectionable *porambokes*, those lands will be assigned to them. As regards the difficulties to which the members of these classes are subjected after registry, the matter will be enquired into and all that is feasible will be done. In regard to the subdivision of lands ear-marked for the depressed classes, it is stated that the subdivision of some of the lands is over, while, in respect of others, the work is now making some progress.

Mr. Aiyan Kali pointed out that there was no water in most of the lands earmarked for the depressed classes, that, therefore, they settled down in places where they could get water, and that in some of the latter places they were being molested by others. These matters will be looked into in due course by the Special Officer proposed to be appointed for watching the interests of the depressed classes.

Mr. Abraham Issac observed that the members of his community would be prepared to pay *tharavila* for good lands in seven yearly instalments, in case such lands could be assigned to them. This matter will also be looked into.

The other points mentioned in the representations of the Members are noted for consideration.

14. Need for an accurate resurvey of the Shencottah taluk.

Mr. S. A. Hariharakrishna Aiyar (Member, Shencotta taluk) began by saying that the necessity for an accurate resurvey of the Shencottah taluk was very

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keenly felt. He said that the inaccurate measurements of lands and house-sites recorded in the survey and settlement records, which did not tally with the existing measurements on the spot, worked serious hardship on the people of the taluk. The taluk was surveyed under the base line and offset system which did not afford facilities for taking accurate measurements. The theodolite stones from which the survey proceeded were themselves planted in wrong stations and as such no reliable reference could be made to them. The work of refixing theodolite stations, which was attempted in connection with the present L. R. M. work, had to be given up on account of the grave inaccuracies met with in the survey operations.

The Member represented that the working of the Land Conservancy Regulation was felt as a hardship and a misfortune by the people on account of the discrepancies in the survey records as stated above. He complained that only side measurements of properties were taken into account and that all excess land lying between the *poramboke* and *patta* lands was treated as *poramboke*. The inaccuracy was all the more serious and inconvenient in the case of minor circuit areas. The survey work of those areas was done by classifiers who were not trained in survey and, as a result, the work done was very poor and wholly inaccurate. The Member gave specific instances of measurements of a few survey numbers and pointed out the discrepancies in respect of them. He said that in Samburvadakara some *poramboke* cases were started on the basis of the above survey measurements, and that, on the complaint of the respective owners, the sites were subsequently ordered to be registered to them without any *vilayartham*. Similar cases had been started in the same place on houses and buildings situated on the same line. it was really a great hardship that cases of this kind should be allowed to swell, especially in the face of the grave irregularities in all cases without exception obtaining in regard to the survey of minor circuit areas. He urged that It was highly necessary in the interests of the State as well as of the people that these inaccuracies should be set right immediately and correct measurements recorded by means of a resurvey.

The Member next spoke about the *poramboke* cases started in respect of lands forming part of registered holdings on the sides of rivers and canals—mainly of the four rivers in the taluk, *viz*., the Kundar, the Hariharanadi, the Hanumannadi and the Karuppanadi. There were garden lands on either side of those rivers. When the gardens and rivers were surveyed, demarcation stones were planted far in the interior of the adjoining registered holdings so as to prevent the stones from being washed away during floods. In the settlement which followed the survey, the areas lying outside the demarcation stones were wrongly treated as *poramboke* and *pattas* were granted to the owners only for the portions of the registered holdings lying within the demarcation stones. The *pattadars* had no knowledge of the error, since the measurements were not given in the rough *pattas* given to them. It was only during the course of the land records maintenance work in the taluk when steps were taken to evict the holders of such lands that they came to know of the mistake committed by the Settlement Department. The lands so recorded as *poramboke* were long in the possession of the owners as could be seen from the age of the trees standing thereon, the level and nature of the land. Such portions of registered holding were under the circumstances stated above wrongly treated as *poramboke*. The Member prayed that the concessions allowed by Government in respect of the lands on either side of the Neyyar and Chittar rivers might be extended to the lands bordering the above-mentioned four rivers and other channels in the taluk.

Lastly, the Member prayed that a resurvey might be ordered of the minor circuits at once and of the whole taluk as early as possible. He also offered the following suggestion for the consideration of Government, if they thought a separate resurvey was too costly to be taken up at present, namely, that the L. R. M. accountants in the taluk might be asked to demarcate all lands peacefully enjoyed by the owners and not disputed by adjacent holders, and record the actual measurements on the ground, the operations being conducted under the supervision of the Taluk Tahsildar and subject to the control and scrutiny of the Superintendent of Land Records, and after giving due notice to the owners in all cases and also giving them

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access to all records relating to measurements. The necessary corrections or modifications should then be made in the survey records and new records prepared where necessary. In the absence of a complete resurvey, the Member hoped that this would improve matters and produce the desired effect in the long run.

Presidents' reply.—As regards resurvey, this is what I find stated by the Dewan at the last Session of the Assembly, *viz.*, that, if the minor circuit is incorrect, that means that the frame-work is incorrect and that could be set right only by a resurvey which would be very costly. Of course, you have also mentioned that. Everything resolves itself into a question of finance.

You have referred to the fact that concessions similar to those allowed in the case of lands on the sides of the Neyyar and Chittar rivers should be extended to the rivers in the Shencottah taluk. If the conditions are alike, Government do not see why the concessions allowed in respect of alleged encroachments on the sides of the Neyyar and the Chittar should not be extended to the lands bordering the rivers mentioned by you. The suggestions made by you will receive due consideration.

Member.—More than 500 encroachment cases have been sent up by the P. W. D. authorities to the Tahsildar. These encroachment cases were taken up by a maistry of the department who had absolutely no knowledge of chain survey. The cases are pending before the Taluk authorities. If early orders regarding the extension of the concession in the case of lands bordering the rivers mentioned by me are not issued, I think that all these cases will be proceeded with and the people will be put to heavy loss.

President.—So you pray for early orders.

Member.—Yes.

President.—The necessary action will be taken.

15. Difficulties experienced by jenmies in the collection of tax on pandarapattom lands demised on Kanapattom.

Mr. Nilakantaru Nilakantaru (Member, Jenmi, Kottayam Division) said that jenmies generally demised *pandarapattom* lands on *kanom*, stipulating in the *kanom* deeds that the tax due to Government on the lands concerned should be paid by the *kanapattom* tenants. In spite of such stipulations in documents, the tenants would not pay the tax to the Government, nor would the Government demand tax from them. The Member complained that it was hard that such tax should be collected from the jenmies instead of from the tenants who enjoyed the lands. If the tax due from several tenants was paid by the jenmi, he found it difficult to realise the same from the tenants afterwards, and he was put to much loss from the consequent civil suits. The Member therefore prayed that instructions might be issued for the tax on *pandarapattom* lands demised on *kanapattom* being collected from the tenants in possession and enjoyment of such lands, in cases where the documents specified that the tax should be paid by them.

President's reply.—The difficulties mentioned by the Member can be removed only by means of legislation. This representation will be considered in connection with the Bill to amend the Jenmi-Kudiyan Regulation now engaging the attention of the Government.

16. Loss caused to jenmies when kanapattom lands are acquired by Government.

Mr. Nilakantaru Nilakantaru (Member, Jenmi, Kottayam Division) said that, when *kanapattom* lands were acquired by Government, the practice was to award three-fourths of the price of the land to the jenmi and one-fourth to the tenant, as also three-fourths of the value of improvements to the tenants and one-fourth to the jenmi. The Member complained that, on the basis of a new ruling of the High Court, the above procedure had been modified and that the jenmies were being paid at present only a small amount as compensation based on the annual income from the land, which caused heavy loss to the jenmies. He, therefore, prayed that orders might be issued by the Government for the compensation being distributed between the jenmies and the tenants in accordance with the old practice.

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